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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,331	01/25/2002	Jitendra Lakram	LAKR100	7977

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EXAMINER

BASINGER, SHERMAN D

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 08/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicant(s)

10/055,331

Examiner

Sherman D. Basinger

Applicant(s)

LAKRAM, JITENDRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,7,14,16 and 19 is/are rejected.
- 7) ☒ Claim(s) 3,5,6,8-13,15,17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged. However, the provisional application upon which priority is claimed was filed more than twelve (12) months prior to the filing date of the instant application. The provisional application, serial number 60/254318 was filed December 11, 2000 while the instant application was filed January 25, 2002.

#### ***Drawings***

2. The drawings are objected to because the lines, numbers and letters are not uniformly thick and well defined. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Specification***

3. The disclosure is objected to because of the following informalities: on page 15, last line, "88" should be corrected to -68-.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 7, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek in view of Tuffier.

Ryczek discloses the air compressor 15, the compression chamber 16 and the inflatable air bag 24. Ryczek does not disclose the one diameter restrictor gauge track for holding the at least one air bag in an deflated condition and allowing the airbag to expand.

Tuffier discloses an inflatable air bag with a diameter restrictor gauge track 23.

Instead of using the container 22 to hold the deflated air bag in Ryczek, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to use an air bag similar to air bag 36 of figure 7 of Tuffier, the air bag having a diameter restrictor gauge track similar to 23 of Tuffier. This is just another type of air bag which can be used in Ryczek and another type of way to hold the deflated air bag in place.

The air bag securement latch device of claim 2 would be similar to the tabs referenced in column 4, line 33 of Tuffier, which it would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to provide to Ryczek when an air bag similar to that in figure 7 of Tuffier is provided.

With regard to claim 7, the airbag diameter securement latch device securing the air bag to the restrictor gauge track is the pocket defined by double bottom 40.

The bag of Ryczek between the inner and outer walls of the hull is that in the lowermost compartments or holds of the ship as shown in figure 1. Thus, in replacing the containers and bags of Ryczek with a bag and diameter restrictor gauge track as shown

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in figure 7 of Tuffier, both would be secured by one airbag securement latch device between the inner walls of the hold and the external wall of the bottom of the ship.

6. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek in view of Tuffier as applied to claim 1 above, and further in view of Day and Gilbert.

The compressor of Ryczek does not used an impeller blade with multiple overlapping blades, nor is the compressor connected to the axle of the engine of the ship by a clutch device.

Day discloses an impeller blade for a compressor with overlapping blades and Gilbert discloses compressor 2 connected to the axle of engine 1 by clutch 33.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to provide a compressor in place of 15 of Ryczek with an impeller with overlapping blades similar to that of Day for the reasons given in column 2 of Day, and to drive this compressor from the axle of the engine of Ryczek with a clutch as taught by Gilbert this being a convenient way to drive the compressor-using a power takeoff as opposed to having a separate motor for the compressor.

***Allowable Subject Matter***

7. Claims 3, 5, 6, 8-13, 15 and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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**Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cochran is cited to show the slats 6. Bick et al is cited to show the collision avoidance sonar.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherman D. Basinger whose telephone number is 703-308-1139. The examiner can normally be reached on M-F (6:00-2:30 ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on 703-308-0230. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
Sherman D. Basinger  
Primary Examiner  
Art Unit 3617

sdb  
August 20, 2002